

Patricia L. Peden, Esq. (SBN 206440)
ppeden@bwsllaw.com
BURKE, WILLIAMS & SORESENSEN, LLP
1901 Harrison Street, Suite 900
Oakland, CA 94612
Phone: (510) 273-8780
Fax: (510) 839-9104

Bitra Rahebi (SBN 209351)
brahebi@mofo.com
MORRISON & FOERSTER LLP
707 Wilshire Boulevard
Los Angeles, California 90017-3543
Phone: (213) 892-5200
Fax: (213) 892-5454

Christopher J. Lee (*pro hac vice*)
clee@leesheikh.com
David J. Sheikh (*pro hac vice*)
dsheikh@leesheikh.com
Brian E. Haan (*pro hac vice*)
bhaan@leesheikh.com
Ashley E. LaValley (*pro hac vice*)
alavalley@leesheikh.com
Dragan Gjorgiev (*pro hac vice*)
dgjorgiev@leesheikh.com
James D. Mitchell (*pro hac vice*)
LEE SHEIKH & HAAN LLC
111 West Jackson Boulevard, Suite 2230
Chicago, IL 60604
Phone: (312) 982-0070
Fax: (312) 982-0071

Richard S.J. Hung (SBN 197425)
rhung@mofo.com
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105
Phone: (415) 268-7000
Fax: (415) 268-7522

Attorneys for Defendant
APPLE INC.

Attorneys for Plaintiff
MPH TECHNOLOGIES OY

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND COURTHOUSE

MPH TECHNOLOGIES OY,

Plaintiff,

v.

APPLE INC.,

Defendant.

CASE NO. 4:18-cv-05935-PJH

Judge Phyllis J. Hamilton

**JOINT STIPULATION TO DISMISS U.S.
PATENT NO. 7,620,810 AND ORDER**

Pursuant to Civil L.R. 7-12, Plaintiff MPH Technologies Oy (“MPH”) and Defendant Apple Inc. (“Apple”) submit this Joint Stipulation to Dismiss U.S. Patent No. 7,620,810 (“the ’810 patent”) from this action.

IT IS HEREBY AGREED AND STIPULATED by and between the parties, through their respective counsel, subject to the Court’s approval, as follows:

- MPH dismisses all claims of alleged infringement of the ’810 patent in the above-captioned action (including without limitation Count VI of MPH’s Complaint, ECF No. 1) with prejudice and agrees (on behalf of itself and any future owners of, exclusive licensees to, or successors-in-interest to any rights in the ’810 patent) not to assert the ’810 patent against Apple, or against any other entity (including without limitation customers, distributors, manufacturers, and suppliers) for any allegedly infringing activities with respect to any Apple product or service, in the future (“covenant not to assert”); and
- Apple dismisses all counterclaims regarding the ’810 patent (including without limitation Counts XI and XII of Apple’s Counterclaims, ECF No. 38) without prejudice. Apple agrees not to assert any counterclaims regarding the ’810 patent in this action or otherwise file any new challenge to the validity of the claims of the ’810 patent in any forum except in the event that Apple believes in good faith there has been a breach of the covenant not to assert.

This dismissal has no effect on or consequence as to MPH’s remaining patent infringement claims asserting U.S. Patent No. 7,937,581, U.S. Patent No. 8,346,949, U.S. Patent No. 9,762,397, U.S. Patent No. 8,037,302, U.S. Patent No. 9,712,494, U.S. Patent No. 9,712,502, and U.S. Patent No. 9,838,362. Nor does this dismissal constitute any admission with respect to the merit or lack of merit of MPH’s patent infringement claims in this litigation.

Each party will bear its own costs and attorneys’ fees with respect to any claim, counterclaim, or defense that is dismissed pursuant to this notice.

IT IS SO STIPULATED.

1 Dated: January 9, 2023

Respectfully submitted,

2 /s/ Ashley E. LaValley

3 Attorneys for Plaintiff
4 MPH TECHNOLOGIES OY

5 Patricia L. Peden, Esq. (SBN 206440)
6 BURKE, WILLIAMS & SORENSEN, LLP

7 Christopher J. Lee (*pro hac vice*)
8 David J. Sheikh (*pro hac vice*)
9 Brian E. Haan (*pro hac vice*)
10 Ashley E. LaValley (*pro hac vice*)
11 Dragan Gjorgiev (*pro hac vice*)
12 James D. Mitchell (*pro hac vice*)
13 LEE SHEIKH & HAAN LLC

14 Dated: January 9, 2023

Respectfully submitted,

15 /s/ Bitra Rahebi (with permission)

16 Attorneys for Defendant
17 APPLE INC.

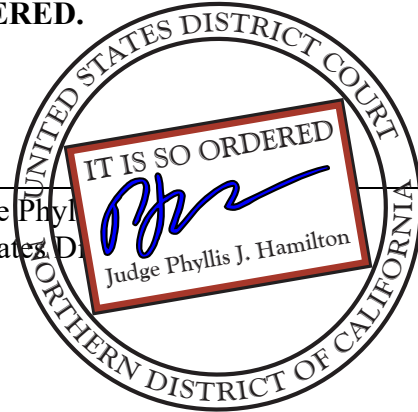
18 Bitra Rahebi (SBN 209351)
19 BRahebi@mofo.com
20 MORRISON & FOERSTER LLP
21 707 Wilshire Boulevard
22 Los Angeles, California 90017-3543
23 Telephone: 213.892.5200
24 Facsimile: 213.892.5454

25 Richard S.J. Hung (SBN 197425)
26 RHung@mofo.com
27 MORRISON & FOERSTER LLP
28 425 Market Street
San Francisco, California 94105-2482
Telephone: 415.268.7000
Facsimile: 415.268.7522

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 11, 2023

Honorable Phyllis J. Hamilton
United States District Judge



ATTESTATION OF CONCURRENCE IN FILING

Pursuant to Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from each of the signatories listed above.

Dated: January 9, 2023

/s/ Ashley E. LaValley